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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
JOHN BENNETT CULLUM,)
)
Defendant.)

No. CR 02-40190 CW
CR 04-40176 CW
CR 09-0835 CW

**~~PROPOSED~~ ORDER EXCLUDING
TIME FROM MAY 3, 2010 TO MAY 17,
2010**

The parties appeared before the Honorable Donna M. Ryu on April 5, 2010 for a status hearing, whereupon this matter was continued to May 3, 2010 for a further status. In lieu of the May 3, 2010 appearance, with the agreement of counsel for both parties and the defendant, the parties now stipulate and ask the Court to find and hold as follows:

1. The status hearing set for May 3, 2010 shall be rescheduled to May 17, 2010.
2. The parties agree to an exclusion of time under the Speedy Trial Act, 18 U.S.C. § 3161, from May 3, 2010 to May 17, 2010. Failure to grant the requested continuance would unreasonably deny defense counsel reasonable time necessary for effective preparation, taking into account the exercise of due diligence and the need for counsel to investigate certain defenses and potential mitigating circumstances.

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3. Given these circumstances, the Court finds that the ends of justice served by excluding the period from May 3, 2010 to May 17, 2010, outweigh the best interest of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A).

4. Accordingly, and with the consent of the defendant, the Court orders that the period from May 3, 2010 to May 17, 2010, be excluded from Speedy Trial Act calculations under 18 U.S.C. § 3161(h)(7)(A) & (B)(iv).

IT IS SO STIPULATED.

DATED: April 30, 2010

/s/
JOHN PAUL REICHMUTH
Counsel for John Bennett Cullum

DATED: April 30, 2010

/s/
BRIAN C. LEWIS
Assistant United States Attorney

IT IS SO ORDERED.

DATED: 5/3/2010

DONNA M. RYU
United States Magistrate Judge